

Senate File 2034 - Introduced

SENATE FILE 2034

BY HOGG

A BILL FOR

1 An Act establishing a tornado resistance infrastructure
2 program, making an appropriation, and including effective
3 date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. TORNADO RESISTANCE INFRASTRUCTURE PROGRAM —
2 APPROPRIATION.

3 1. There is established a tornado resistance infrastructure
4 program to be administered by the department of homeland
5 security and emergency management established in section
6 29C.5. The objective of the program shall be to provide
7 funding to designated entities to assist in the financing of
8 infrastructure improvement projects designed to enhance tornado
9 resistance in certain physical structures and reduce the
10 likelihood of significant tornado-related damage.

11 2. a. In order to receive funding pursuant to the program,
12 an applicant shall submit project plans certified by an
13 engineer, architect, or other professional designated by the
14 department by rule as qualified to verify that the proposed
15 project meets standards for effectiveness in tornado safety to
16 be developed by the department.

17 b. Eligible applicants shall include owners or entities in
18 charge of the following types of physical structures:

19 (1) School buildings.

20 (2) Mobile home parks.

21 (3) Physical structures at summer camp facilities.

22 (4) Apartment complexes and dormitories.

23 (5) Hospitals and nursing homes.

24 (6) Stadiums, fairgrounds, and other outdoor public
25 facilities.

26 (7) Any other facility, including business and industrial
27 facilities, determined by the department to have or face a
28 demonstrable risk of significant tornado damage.

29 3. a. Fifty percent of the funds appropriated pursuant to
30 subsection 6 shall be allocated for school building, mobile
31 home park, and summer camp tornado resistance infrastructure
32 improvement projects. School districts, institutions under the
33 control of the state board of regents, mobile home park owners
34 and operators, and summer camp owners and operators may receive
35 up to seventy-five percent of the estimated cost of a project

1 from program funds.

2 b. Owners or entities in charge of physical structures other
3 than school buildings and mobile home parks may receive up to
4 fifty percent of the estimated cost of a project from program
5 funds.

6 4. Factors to be considered by the department in
7 awarding funds for projects pursuant to this section shall
8 include but not be limited to a physical structure's current
9 vulnerability to tornado damage, project support from local
10 emergency management officials, the number of children and
11 adults projected to receive enhanced safety and protection
12 pursuant to the project, the level of financial commitment
13 and participation by the owner or entity in charge of a
14 physical structure subject to a proposed project and the
15 availability of other funding sources, and the commitment of
16 the owner or entity in charge of the physical structure to the
17 implementation of tornado safety training and practices.

18 5. The department shall adopt rules to administer the
19 program. The department may adopt rules on an emergency basis
20 as provided in sections 17A.4 and 17A.15 to administer the
21 program. Any emergency rules adopted in accordance with the
22 program shall also be published as a notice of intended action
23 as provided in section 17A.4.

24 6. a. There is appropriated from the general fund of the
25 state to the department of homeland security and emergency
26 management for the fiscal year beginning July 1, 2014, and
27 ending June 30, 2015, the following amount, or so much thereof
28 as is necessary, for the purposes designated:

29 For administration of the tornado resistance infrastructure
30 program established pursuant to this section:

31 \$ 20,000,000

32 b. Notwithstanding section 8.33, moneys appropriated in
33 this section that remain unencumbered or unobligated at the
34 close of the fiscal year shall not revert but shall remain
35 available to be used for the purposes designated in succeeding

1 fiscal years.

2 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
3 immediate importance, takes effect upon enactment.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with
6 the explanation's substance by the members of the general assembly.

7 This bill establishes a tornado resistance infrastructure
8 program to be administered by the department of homeland
9 security and emergency management. The bill provides that
10 the objective of the program shall be to provide funding to
11 designated owners or entities to assist in the financing of
12 infrastructure improvement projects designed to enhance tornado
13 resistance in physical structures and reduce the likelihood of
14 significant tornado-related damage.

15 The bill provides that in order to receive funding pursuant
16 to the program, applicants shall submit project plans certified
17 by an engineer, architect, or other professional designated by
18 the department by rule as qualified to verify that a project
19 meets standards for effectiveness in tornado safety to be
20 developed by the department. Eligible applicants include
21 owners or entities in charge of school buildings, mobile home
22 parks, physical structures at summer camp facilities, apartment
23 complexes and dormitories, hospitals and nursing homes,
24 stadiums, fairgrounds, and other outdoor public facilities,
25 and any other facility, including business and industrial
26 facilities, determined by the department to have or face a
27 demonstrable risk of significant tornado damage.

28 The bill allocates 50 percent of appropriated funds for
29 school building, mobile home park, and summer camp tornado
30 resistance infrastructure projects, and provides that school
31 districts, institutions under the control of the state board
32 of regents, mobile home park owners and operators, and summer
33 camp owners and operators may receive up to 75 percent of
34 the estimated cost of a project from program funds. The
35 bill provides that owners or entities in charge of physical

1 structures other than school buildings and mobile home parks
2 may receive up to 50 percent of the estimated cost of a project
3 from program funds.

4 The bill specifies factors to be considered by the
5 department in awarding funds for projects, including but not
6 limited to a physical structure's current vulnerability to
7 tornado damage, project support from local emergency management
8 officials, the number of children and adults projected to
9 receive enhanced safety and protection pursuant to the project,
10 the level of financial commitment and participation by the
11 owner or entity in charge of a physical structure subject to a
12 proposed project and the availability of other funding sources,
13 and the commitment of the owner or entity in charge of the
14 physical structure to the implementation of tornado safety
15 training and practices.

16 The bill directs the department to adopt rules to administer
17 the program, and authorizes the adoption of rules on an
18 emergency basis.

19 The bill appropriates \$20 million from the general fund of
20 the state to the department for the fiscal year beginning July
21 1, 2014, and ending June 30, 2015, for purposes of funding the
22 program, and provides for nonreversion pursuant to Code section
23 8.33.

24 The bill takes effect upon enactment.